

REMARKS/ARGUMENTS

Claims 16-34 are pending in the application identified above. The Examiner has rejected claims 16-34. By this Amendment, Applicants have amended independent claims 16, 24, and 26 as discussed with the Examiner in the interviews occurring on May 9 and 10. Support for these amendments may be found, for example, in Figure 2 and at blocks [066] and [068]. Applicants wish to express gratitude to the Examiner for the assistance in identifying possible amendments for independent claims 16, 24, and 26. Applicants submit that claims 16-34 are allowable over the cited prior art and respectfully request that the Examiner withdraw the rejections of and allow these claims.

Claim Rejections Under 35 U.S.C. § 103

In the Final Office Action (OA) mailed April 4, 2006, the Examiner rejected claims 16-34 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent 5,745,712 ("Turpin") in view of U.S. Patent Application No. 2002/0129006 ("Emmett"), in further view of U.S. Patent 6,389,434 ("Rivette"), and in further view of U.S. Patent 6,519,452 ("Agostino"). Applicants hereby traverse these rejections.

In a § 103(a) rejection, the Examiner must first establish a *prima facie* case of obviousness. MPEP § 2142. To do so, the Examiner must show that the prior art both teaches all elements of the claims and provides the reason or motivation to make the claimed combination. The mere fact that references can be combined does not create a *prima facie* case of obviousness. Moreover, the motivation to combine cannot come from the applicant's own disclosure but must come from the prior art itself. Additionally, no motivation to combine references exists where doing so would render one of the prior art references unsatisfactory for its intended purpose.

In the present application, however, the cited prior art fails to teach or suggest all elements of the claims. For example, none of these references teaches “continuously displaying and continuously highlighting the layout item as selected in one of the views other than the view in which the layout item was selected for the entire time that the layout item is selected” as recited in Applicants’ amended claims 16, 24, and 26. Accordingly, Applicants submit that claims 16-34 are allowable over the cited prior art.

I. Claims 16, 24, and 26

The Examiner rejected claims 16, 24, and 26 under 35 U.S.C. § 103 as unpatentable over the combination of Turpin, Emmett, Rivette, and Agostino. The combination of Turpin, Emmett, Rivette, and Agostino, however, does not teach all of the elements of the claims. For example, none of these references at least teaches “continuously displaying and continuously highlighting the layout item as selected in one of the views other than the view in which the layout item was selected for the entire time that the layout item is selected” as recited in Applicants’ amended claims 16, 24, and 26.

As stated by the Examiner in the current OA, “[n]either Turpin et al., Emmet et al., nor Rivette et al. explicitly teach **displaying the layout item as selected in one of the views other than the view in which the layout item was selected.**” OA, pg. 6 (highlighting in original). Accordingly, Turpin, Emmet, and Rivette cannot explicitly teach “continuously displaying and continuously highlighting the layout item as selected in one of the views other than the view in which the layout item was selected for the entire time that the layout item is selected” (emphasis added) as recited in Applicants’ amended claims 16, 24, and 26. Agostino fails to cure this deficiency.

Agostino teaches “[a] system and method for a simultaneous examination of synchronized forward and reverse link data.” Agostino, Abstract. As part of the system and method, Agostino discloses simultaneously displaying analyzed data in multiple views. See Agostino, Fig. 9; col. 2:55-61. Agostino, however, further discloses “that interface views are synchronized such that individually selecting a data point in any view updates respective information in all other views.” See Agostino, col. 2:58-61. As a result, the data point is shown as selected in other views only in the instant that the update and synchronization occur. Additionally, Agostino also teaches “[h]ighlighting a particular call segment in a call list will automatically select the first message of that particular segment.” See Agostino, col. 9:13-18. In Agostino, however, not only does the same frame contain both the call segment and the message, but the highlighting is only disclosed as showing a relationship between two different items--a call segment and a message. See Agostino, col. 9:13-18. In fact, according to the disclosure in Agostino, a call segment consists of one or more messages, such as Origination messages and handoff messages. See Agostino, col. 4:58-col. 5:33. Accordingly, Agostino fails at least to teach or suggest “continuously displaying and continuously highlighting the layout item as selected in one of the views other than the view in which the layout item was selected for the entire time that the layout item is selected” as recited in Applicants’ amended claims 16, 24, and 26. For at least these reasons, Applicants submit that independent claims 16, 24, and 26 are allowable over the cited prior art. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections of and allow claims 16, 24, and 26.

Claims 17 - 23, 25, 27 - 34

The Examiner rejected claims 17-23, 25, and 27-34 as allegedly unpatentable over Turpin in view of Emmett, in further view of Rivette, and in further view of Agostino. Claims 17-23 and 31-32 depend from amended claim 16; claims 25 and 33 depend from amended claim 24; and claims 27-30 and 34 depend from amended claim 26. Accordingly, these claims are allowable over the cited prior art for at least the reasons cited above for amended claims 16, 24, and 26. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections of and allow these claims.

Conclusion

Applicants thank the Examiner for the courtesy of an interview on May 9, 2006. Following the interview, in which the Examiner agreed that the proposed amendments better distinguish the present invention over the prior art, Applicants submitted a first Amendment After Final on May 22, 2006. Applicants recently received the Advisory Action dated June 1, 2006, noting that the Amendment After Final contained a few typographical errors, and deeming the response non-compliant.

Applicants respectfully request that this second Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 16-34 in condition for allowance. This Response is substantially identical as the Amendment After Final submitted on May 22, 2006, with the typographical errors in the claims listing now corrected. Applicants submit that the proposed amendments of claims 16, 24, and 26, as discussed with the Examiner, do not raise new issues or necessitate the undertaking of any additional search because all of the elements and their relationships claimed were

either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicants' invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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